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**-- REMARKS --**

Claims 1-24 remain under consideration. Claim 2 was amended to correct an inadvertent typographical error in a nonstatutory amendment. The amendment is not made to claim around any reference, and no new matter has been added with the amendment to claim 2. Claims 1, 12 and 20 have been amended to more particularly point out and distinctly claim the Applicants' invention. No new matter has been added with the amendment of claims 1, 12, 19 and 20.

**A. Claims 1-24 were rejected under 35 U.S.C. § 103(a) as unpatentable over Murata in view of Khullar**

The §103(a) rejection of claims 1-24 as unpatentable over Murata in view of Khullar is traversed. In order to maintain this §103(a) rejection, each and every element of the claims must be taught or suggested in at least as great detail as claimed. As Murata in view of Khullar fails to teach or suggest, at least, "determining availability of at least one primary communication device and at least one secondary communication device in response to the service request," as claimed in independent claims 1, 10, and 16, the rejection must fail.

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The instant application claims a method, computer program, and means for providing multi-path communication for a mobile vehicle. A communication device, as claimed, may be an embedded device, i.e. a device that may be "any integrated service system in the vehicle" (page 6, lines 23-24 of the specification). Thus, an embedded device is a device that is embedded in the vehicle. The communication device may also be a Portable Communications device, such as a portable network access device (PNAD) that is not embedded in the vehicle, but is capable of communicating with the embedded device. See, specification page 7, lines 10-21. Either the embedded device or the PNAD may be the "primary" or "secondary" device, but the claim requires two separate devices – a primary device and a secondary device, and the devices are not the same device.

In direct contrast, Murata teaches a device with two communication technologies, satellite and cellular, and the device is able to choose which communication technology to use for a particular communication. See, e.g. abstract and FIGS. 2 and 4 of Murata. Similarly, and in contrast to the claimed invention, Khullar teaches a method of selecting an access *technology* (i.e. not an access device) in a multi-mode terminal. See, e.g. abstract and FIGS. 1-3 of Khullar.

Therefore, Murata in view of Khullar cannot render claims 1, 10 and 16 unpatentable. Claims 2-9 depend directly or indirectly from claim 1 and are therefore patentable over Murata in view of Khullar for at least the same reason as claim 1. Claims 11-15 depend directly or indirectly from claim 10 and are therefore patentable over Murata in view of Khullar for at least the same reason as claim 10. Claims 17-24 depend directly or indirectly from claim 16 and are therefore patentable over Murata in view of Khullar for at least the same reason as claim 16.

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Withdrawal of the rejections to claims 1-24 is requested.

**B. The Examiner objected to claim 2**

The Examiner's objection to claim 2 has been obviated by the nonstatutory amendment, and withdrawal of the objection is requested.

**C. The Examiner objected to the drawings**

The objection to the drawings is traversed. Applicants have amended the specification to correct a typographical error, indicating that reference number 365 is indeed referenced in the specification. No new matter has been added with the amendment to the specification, said amendment being made solely to correct a typographical error, and not to avoid any reference. This amendment obviates the Examiner's objection, and withdrawal of the objection is requested.

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**CONCLUSION**

The Applicants respectfully submit that claims 1-24 fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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Respectfully submitted,  
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